

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

In re:	)	In Proceedings Under Chapter 7
	)	
JOHN D. DIRIGO, JR.,	)	Case No. 08-45943-705
ANGELA G. DIRIGO,	)	
	)	Hon. Charles E. Rendlen, III
	)	U.S. Bankruptcy Judge
	)	
	)	(No Hearing Requested)
Debtors.	)	

**UNITED STATES TRUSTEE'S MOTION FOR EX-PARTE ENTRY OF AN ORDER  
RE-OPENING CASE, AUTHORIZING THE APPOINTMENT OF A  
TRUSTEE, AND DEFERRING THE PAYMENT OF THE RE-OPENING FEE**

Daniel J. Casamatta, the Acting United States Trustee for Region 13 (the "U.S. Trustee"),  
by and through his under undersigned Assistant U.S. Trustee, hereby respectfully moves this  
Court to enter an Order re-opening the above-captioned presently closed Chapter 7 bankruptcy  
case based upon the following:

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 157 and 11 U.S.C. § 350. This Court may consider this Motion without hearing pursuant to Local Rule of Bankruptcy Procedure 9062.
2. John D. Dirigo, Jr. & Angela G. Dirigo (the "Debtors") filed a voluntary petition under Chapter 7 of Title 11, United States Code (the "Bankruptcy Code") on August 7, 2008
3. The case has been closed since June 22, 2009. It was previously administered by panel trustee Charles W. Riske.
4. The U.S. Trustee has received information indicating that the bankruptcy estate may have an interest in a class action settlement that merits review and investigation by a trustee.
5. In order to investigate such matters further, it is necessary to re-open the

case. The appointment of a trustee is warranted pursuant to Fed. R. Bankr. P. 5010 to protect the interests of creditors and the debtors and to ensure the efficient administration of the case.

6. Section 350(b) of the Bankruptcy Code provides that a case may be “re-opened in the court in which such case was closed to administer assets, to accord relief to the debtors, or for other cause.” 11 U.S.C. § 350(b).

WHEREFORE, the U.S. Trustee respectfully requests that the Court enter an order re-opening the present case, authorizing and directing the U.S. Trustee to appoint a trustee, and deferring the payment of the re-opening fee at this time or until otherwise directed by the Court.

RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of April 2019.

DANIEL J. CASAMATTA  
ACTING UNITED STATES TRUSTEE

PAUL A. RANDOLPH  
ASSISTANT UNITED STATES TRUSTEE

/s/ Paul A. Randolph  
PAUL A. RANDOLPH  
E.D. Mo #506384, AZ # 011952  
Assistant United States Trustee  
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### **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document was filed electronically on April 16, 2019 with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, address to those parties listed on the Court's Manual Notice List and listed below on April 16, 2019.

**John D. Dirigo, Jr.**  
**Angela G. Dirigo**  
128 Quail Trail  
Winfield, MO 63389

/s/Sandra L. Herling  
Sandra L. Herling, Paralegal Specialist